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U.S. DISTRICT COURT E.D.N.Y.
★ JUN 06 2012 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BROOKLYN OFFICE

UNITED STATES OF AMERICA

WAIVER OF JURY TRIAL

- against -

11-CR-424 (JG)

JAMES ROSEMOND,

Defendant.

- - - - -X

Pursuant to Rule 23(a) of the Federal Rules of Criminal Procedure, the United States of America (the "government") and the defendant, JAMES ROSEMOND (the "defendant") hereby agree to the following:

1. The defendant voluntarily, freely, and without any mental reservations, waives any and all rights he has under the laws of the United States or the Constitution of the United States to a jury trial on the Criminal Forfeiture Allegations charged in the Indictment, CR-11-424, against him.

2. The government and the defendant agree that following the guilt phase of the criminal trial, and only after the defendant's conviction of one or more of Counts One through Seven, Ten, Eleven and/or Twelve, the forfeitability of any assets of the defendant shall be determined by the United States District Court Judge upon written submissions by both parties.

3. This waiver is binding on the defendant, and the defendant will not raise any defenses, file an appeal, or otherwise challenge any conviction or sentence imposed by the

Court on the basis of this agreement to waive the right to a jury trial on the Criminal Forfeiture Allegations.

4. The government recognizes that the undersigned counsel for the defendant has obtained a lien against a parcel of real estate owned by the defendant in Miami, Florida in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00). This lien will remain in effect should the government move to declare the parcel of real estate a substitute asset. No other promises, agreements, or conditions have been entered into by the parties other than those set forth in this agreement and none will be entered into unless memorialized in writing and signed by all parties.

5. To become effective, this waiver must be signed by all signatories listed below and approved by the Court.

Dated: Brooklyn, New York
June 5th, 2012

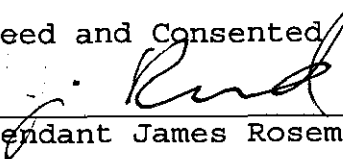
Respectfully submitted,

LORETTA E. LYNCH
United States Attorney
Eastern District of New York

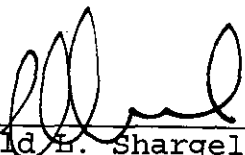
By: 

Lan Nguyen
Assistant U.S. Attorney

Agreed and Consented to:


Defendant James Rosemond

Approved by:



Gerald B. Shargel, Esq.
Counsel to Defendant,
James Rosemond

SO ORDERED AND APPROVED:
Brooklyn, New York
June 5, 2012

s/John Gleeson

HONORABLE JOHN GLEESON
United States District Judge